

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ROCHE MOLECULAR SYSTEMS, INC.,  
Plaintiff

- against -

DXS LIMITED,

Defendant.  
-----X

**ROBERT P. PATTERSON, JR., U.S.D.J.**

In response to the letters from counsel for Defendant and Plaintiff, dated March 16 and 17, 2010, the hearing in this case is scheduled for Monday, March 22, 2010 beginning at 10 a.m. It is an evidentiary hearing on a motion for preliminary injunction and may last several days. Since there are factual issues in dispute, the Defendant's position that it only expected to present oral argument is untenable. Deputy clerks who are not aware of the nature and scope of the motion do not speak for the Court. If the parties agree to have an early trial on the merits and combine it with the preliminary injunction hearing, they may so stipulate by Friday, March 19, 2010. If they do not agree, the preliminary injunction hearing will be held on Monday, March 22, 2010 as scheduled and the Court will scheduled an expedited trial on the merits for a later date.

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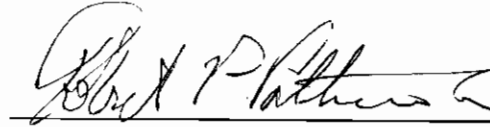
10 C 1113 (RPP)

**OPINION AND ORDER**

IT IS SO ORDERED.

Dated: New York, New York

March 18, 2010

A handwritten signature in black ink, appearing to read "Robert P. Patterson, Jr.", written over a horizontal line.

Robert P. Patterson, Jr.

U.S.D.J.

Copies of this order were faxed to:

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